

EXHIBIT B

Subject: Re: Pharmacy Defendants' Request for Dismissals

Date: Tuesday, April 27, 2021 at 7:20:37 AM Mountain Daylight Time

From: owner-ext-track3defendants@groups.jonesday.com on behalf of Peter H. Weinberger

To: External User - Bob Barnes

CC: David R. Cohen, EXT-TRACK3DEFENDANTS@groups.jonesday.com,
mdl2804discovery@motleyrice.com

**** External mail ****

SM Cohen:

There is no need to direct me or order me to do anything at this point. On behalf of this particular plaintiff, I will continue to assess the facts to determine if there is an appropriate basis for GE continuing to be a defendant in this particular case. I will do so even though Mr. Barnes and his client have sales records and probably other data that would be revealing to this issue, other than the dispensing data which Mr. Barnes refused to disclose. There is no active litigation involving this particular case and so a bit more time to assess the situation will not operate to prejudice Mr. Barnes' client. I remain mindful of Judge Polster's directives.

On the larger issue, in my prior email to you sent on behalf of the PEC, my intent then and now is to point out that there are a number of other valid factors or criteria for each plaintiffs' counsel to consider in determining whether a defendant remains in their cases other than the sole question of whether a defendants' store happens to be located within the geographic boundaries of the particular plaintiff. Defendants' argument otherwise is an improper and unduly limited definition of "market share". And I am sure that as we look at dispensing data numbers (to the extent that we have the data), we will apply a standard that equates to a determination whether a defendant's conduct was a significant contributor to the opioid prescription pill epidemic. We obviously will continue to analyze ARCOS data also regarding the distribution conduct.

My office is the clearinghouse for inquiries we have sent to plaintiffs' counsel around the country based upon lists sent to us from the defendants, several of which were only received within the last week to 10 days. What we are learning is that everyone is taking this issue seriously and as necessary conferring with their clients in order to come to a final conclusion. I reiterate that we are taking Judge Polster's admonition very seriously.

As for Mr. Barnes, I respectfully suggest that he tone things down as we work through this hopefully in collaboration with defense counsel, including Mr. Barnes.

Respectfully,

Pete

Sent from my iPad